



Washington, D.C. 20505

OCA FILE

SSCI  
LEG

OCA 3597-88

28 OCT 1988

Mr. George Tenet  
Staff Director  
Select Committee on Intelligence  
United States Senate  
Washington, D.C. 20510

Dear Mr. Tenet:

This is in response to the Chairman's 8 September 1988 letter to the Director. The Director is pleased that we have been able to reach agreement with the Committee with respect to providing the Committee's Audit Unit the annual work plan for the Audit Staff in the Office of Inspector General.


With respect to the provision of summaries of intelligence activities reported to the Intelligence Oversight Board (IOB), it appears to me that these summaries will duplicate to a large degree the reporting that the Director must make regarding the activities of the Inspector General under the provisions of the Intelligence Authorization Act for 1989. These latter reporting provisions were still being drafted by the Committee at the time the Director last wrote to the Committee on this subject on 1 March.

Now that the reporting requirements mandated by the Intelligence Authorization Act are in place, it would seem to us redundant and unnecessary for CIA to produce two separate reports covering the same period. To avoid this duplication, I propose that when the Director provides to the Committee the semi-annual report specified in the Intelligence Authorization Act, he will include within that report a summary of any intelligence activities that violate any applicable law of the United States, any Executive Order or Presidential Directive, or significant violation of a rule or regulation issued

pursuant to law, and which have also been reported to the IOB.  
Our first report will be provided to you at the end of this  
calander year.

I trust that the Committee will find this arrangement  
acceptable.

Sincerely,

  
// John L. Helgerson  
Director of Congressional Affairs

STAT

STAT D/OCA/JLH/  27 Oct 88

Distribution:

Orig - addressee

1 - DCI 1 - GC

1 - DDCI 1 - IG

1 - EXDIR

1 - ER

1 - D/OCA

1 - DDL/OCA

1 - OCA Records

1 -  Chrono

1 - OCA/LEG Subj. File  
OCARead

STAT

~~SECRET~~



INSPECTOR GENERAL

26 October 1988

NOTE TO: Director of Congressional Affairs

John,

I think your proposed letter to Tenet is excellent. The solution you propose is logical and politic. I agree with the DCI that if the SSCI wants both reports, we should not concur.

There are two words that I believe should be added to your letter to Tenet. They may appear as a nitpick to you but I think they should be added. In paragraph 1, the text should read "...with respect to providing the Committee's Audit Unit the annual work plan...." The words Audit Unit should be added. The ground rules are that the Audit Unit receives a copy of the annual work plan by our Audit Staff and retains that work plan at the Audit Unit's office in a CIA building in Rosslyn.

It was from the beginning, the understanding that this audit work plan was never to be taken to the Hill.

With this small adjustment, charge ahead.

[Redacted Signature]

William F. Donnelly

Attachment

CL BY Signer  
DECL OADR

~~SECRET~~

STAT

INSPECTOR GENERAL
88-1206

OCA 3301-88

6 October 1988

NOTE FOR: The Director

FROM: John L. Helgerson  
Director of Congressional Affairs

SUBJECT: Response to Senate Intelligence Committee  
Request for Reports to the Intelligence  
Oversight Board

1. Attached for your review and approval at Tab A is a letter I propose to send to George Tenet, Staff Director of the Senate Intelligence Committee. My letter responds to a letter Chairman Boren sent you on 8 September (attached at Tab B) that sets out an agreement on providing to the Committee the annual work plan of the Audit Staff of the Inspector General and summaries of reports provided to the Intelligence Oversight Board (IOB).

2. The provision of IOB reports to the Congress has been under discussion with the Senate Intelligence Committee for some time. Chairman Boren, in a letter to you dated 8 February, originally requested that we provide the Committee copies of the quarterly reports to the IOB. You responded in a letter to Chairman Boren on March 1 with the following counterproposal: "With regard to your interest in receiving copies of the Inspector General's quarterly report to the President's Intelligence Oversight Board, I would like to suggest that, rather, a somewhat more detailed classified summary report be prepared for the SSCI every six months." (Copies of the 1 March and 8 February letters are attached at Tabs C and D, respectively.)

3. The Senate Intelligence Committee has interpreted this statement quoted from our March letter to mean they would receive summaries of IOB reports. The Inspector General, who drafted the letter, has stated that it was not his intention to offer the Senate Intelligence Committee summaries of IOB reports, but rather to prepare general summaries of the activities of the Inspector General with respect to their investigations.

4. Given the commitment the Committee believes we have made, we have three choices. Our first option would be not to respond to the Chairman's letter. Our silence would be tantamount to an agreement to provide summaries of all material

25X1

TOP SECRET


25X1

reported to the IOB. The Inspector General and General Counsel strongly believe it would be unwise to provide summaries of all reports to the IOB since there are matters reported to the IOB that have nothing to do with illegal intelligence activities and are not the proper subject of congressional oversight. The second option would be inform Chairman Boren that there has been a misunderstanding with respect to the provision of summaries of IOB reports to the Committee, and describe our own notion regarding what we will provide. I believe this course of action could lead to a very negative reaction by the Committee.

5. The final option--novel, but honest, I believe--would be to "clarify" the issue by informing the staff that our earlier commitment has been overtaken by the new reporting requirements pertaining to the Inspector General that are in this year's Intelligence Authorization bill. These latter reporting requirements duplicate to a large degree summaries of "illegal" intelligence activities reported to the IOB. Rather than sending two separate reports to the Hill, we would include within the report mandated by the Intelligence Authorization Act a summary of intelligence activities that violate any applicable law of the United States, any Executive Order or Presidential Directive, or significant violation of a rule or regulation issued pursuant to law, and which have also been reported to the IOB.

6. The advantage of this option is that we avoid getting into an unnecessary quarrel with the Committee over a past commitment, while at the same time we narrow the scope of what is reported to summaries of "illegal" intelligence activities that have been reported to the IOB over a six month period, rather than summaries of all reports made to the IOB over a six month period. The disadvantage is that we muddy the waters by sending with your new, IG-related report, some material drawn from IOB reports that might not otherwise meet the threshold test for what must be reported.

7. If you approve, I will send the draft letter to the Staff Director of the Senate Intelligence Committee. The General Counsel and the Acting Inspector General have reviewed this issue and join in my recommendation.

  
John L. Helgerson

DCI decision:

*after 16 + GC conference*  
X Send Letter to Senate Intelligence Committee as Drafted. *←*

— Inspector General, General Counsel, and Director of Congressional Affairs should discuss this further with me.

*my recommendation*  
*RG*

**Page Denied**

Next 5 Page(s) In Document Denied

Tab C & D

Destroyed

See File Copy in  
OCA Registry

OCA 3301-88  
6 Oct 88